

House Resolution Number 1547

Whereas, the central purposes of a university are the pursuit of truth, the discovery of new knowledge through scholarship and research, the study and reasoned criticism of intellectual and cultural traditions, the teaching and general principled development of students to help them become creative individuals and productive citizens of a pluralistic democracy, and the transmission of knowledge and learning to a society at large; and

Whereas, free inquiry, free speech, and fair employment practices within the academic community are indispensable to the achievements of these goals, the freedoms to teach and to learn depend upon the creation of appropriate conditions and opportunities on the campus as a whole as well as in the classrooms and lecture halls, and these purposes reflect the values - responsibility, diversity, opportunity, critical intelligence, openness, and fairness - that are the cornerstones of American society; and

Whereas, academic freedom and intellectual diversity are values indispensable to the American university. Ever since the creation of the First Amendment of the U.S. Constitution, the concept of academic freedom in this country has been premised on the idea that human knowledge is a never-ending pursuit of the truth, that there is no humanly accessible truth that is not in principle open to challenge, and that no party or intellectual faction has a monopoly on wisdom; and

Whereas, academic freedom is most likely to thrive in an environment of intellectual diversity that protects and fosters independence of thought and speech coupled with professional responsibility; and

Whereas, because free inquiry and its fruits are crucial to the democratic enterprise itself, academic freedom is a national value as well. In a historic 1967 decision, the Supreme Court of the United States overturned a New York State loyalty provision for teachers with these words: "Our Nation is deeply committed to safeguarding academic freedom, [a] transcendent value to all of us and not merely to the teachers concerned." (*Keyishian v. Board of Regents of the Univ. of the State of New York*). In *Sweezy v. New Hampshire*, (1957), the Court observed that the "essentiality of freedom in the community of American universities [was] almost self-evident"; and

Whereas, academic freedom consists in protecting the intellectual independence of institutions, professors, researchers, and students in the pursuit of knowledge and the expression of ideas from interference by legislators or authorities within the institution itself, meaning that

no political, ideological, or religious orthodoxy should be imposed on professors and researchers through the hiring, tenure, or termination process, nor through any other administrative means by the academic institution, nor should the legislature impose any such orthodoxy on any individual teacher or institution through its control of the university budget; and

Whereas, it has been recognized that intellectual independence means the protection of students as well as faculty from the imposition of any orthodoxy of a political, ideological, or religious nature, for students too are protected by the First Amendment and must be free to pursue the truth under the guidance and tutelage of responsible faculty scholars. Students must have the liberty to express reasoned questions and disagreements concerning findings, data, and theories encountered in their studies without fear of reprisal or discrimination:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, to secure the intellectual independence of faculty and students and to protect the principle of intellectual diversity, strongly recommend that the following principles and procedures be observed at all public and private colleges and universities with the State of Missouri:

(1) All faculty members shall be hired, fired, promoted, or continued on the basis of quality of their service, their competence, and appropriate knowledge in the field of their expertise and, in all fields of study, with a view toward fostering a wide variety of methodologies and perspectives. No faculty member shall be hired, fired, or denied promotion or tenure solely on the basis of his or her political or religious beliefs;

(2) All personnel, search, or hiring committee deliberations shall be recorded and made available to appropriately constituted authorities empowered to inquire into the integrity of the process, although the names of committee members may be redacted. No faculty member shall be excluded from a personnel, search, or hiring committee on the basis of his or her political or religious beliefs;

(3) Students shall be graded solely on the basis of their reasoned answers and appropriate knowledge of the subjects and disciplines they study and the timely and responsible completion of assignments, not on the basis of their political or religious beliefs;

(4) Curricula and reading lists in all college and university subjects shall respect the uncertainty and unsettled character of all human knowledge in these areas and provide students with dissenting sources and viewpoints. While teachers are and should be free to pursue their own findings and perspectives in presenting their viewpoints, they should consider and make their students aware of other viewpoints. Academic disciplines should welcome a diversity of approaches to unsettled questions;

(5) Exposing students to the spectrum of significant scholarly viewpoints on the subjects examined in their courses is a major responsibility of faculty. Faculty members shall not use

their courses for the purpose of political, ideological, religious, or anti-religious indoctrination;

(6) Selection of speakers, allocation of funds for speaker programs, and other student activities shall reflect the principles of academic freedom and promote intellectual open-mindedness and integrity;

(7) An environment conducive to the civil exchange of ideas being an essential component of a free university, the obstruction of invited campus speakers, destruction of campus literature, or other effort to obstruct this exchange shall not be tolerated; and

(8) Knowledge advances when individual scholars are left free to reach their own conclusions about which methods, facts, and theories have been validated by research. Academic institutions and professional societies formed to advance knowledge within an area of research, maintain the integrity of the research process, and organize the professional lives of related researchers serve as indispensable venues within which scholars circulate research findings and debate their interpretations. To perform these functions adequately, academic institutions and professional societies should maintain a posture of organizational open-mindedness with respect to the substantive disagreements that divide researchers on questions within or outside their fields of inquiry; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution to the Board of Curators of the University of Missouri System and to the president of every college and university in this state.

Offered by _____
Representative Larry Morris
District No. 138

I, Catherine L. Hanaway, Speaker of the House of Representatives, Ninety-second General Assembly, Second Regular Session, do certify that the above is a true and correct copy of House Resolution No. ____, adopted ____, 2004.

Catherine L. Hanaway, Speaker